

**Newton, Jonathan**

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**From:** Gelb, Nanci  
**Sent:** Monday, December 30, 2013 1:02 PM  
**To:** Reeder, John; Minoli, Kevin; Guerrero, David; Fritz, Matthew; Hooks, Craig; Kantrowitz, Susan  
**Subject:** RE: EPA Resp to Schleicher

OARM did in fact reach out to the Special Agent the week before last. Barbara Viney did it, at my request. ~~\_\_\_\_\_~~ (b) (5)

Nanci E. Gelb  
Principal Deputy Assistant Administrator Office of Administration and Resources Management U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue NW  
Washington DC 20460  
Phone 202/564-4600 Fax 202/564-0233

-----Original Message-----

**From:** Reeder, John  
**Sent:** Tuesday, December 24, 2013 2:39 PM  
**To:** Minoli, Kevin; Guerrero, David; Fritz, Matthew; Hooks, Craig; Kantrowitz, Susan; Gelb, Nanci  
**Subject:** EPA Resp to Schleicher

Attached is the letter emailed and faxed to agent Drake's attorney on December 24.

David, pls can you acknowledge receipt and keep a copy in files. And thank you for your help on this matter.

John E. Reeder  
Deputy Chief of Staff  
202 564 6082

**Newton, Jonathan**

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**From:** cmsadmin@epa.gov  
**Sent:** Friday, December 27, 2013 5:08 PM  
**To:** Reeder, John  
**Subject:** CMS Take Over Control - Jacqueline Leavy - AX-14-000-2651

Control AX-14-000-2651 was taken over by Jacqueline Leavy. The item has been removed from your CMS In Box, and does not currently require any action on your part.

Summary Information -

Control Number: AX-14-000-2651

Control Subject: Issues Affecting EPA OIG Special Agent Elisabeth Heller Drake

From: Schleicher, David R.

Note: This Email was automatically generated. Please do not attempt to respond to it. You can access this control at <https://cms.epa.gov/cms>. Questions or comments concerning CMS should be directed to CMS Support at 202-564-4985 or CMS Information@epa.gov.

## Newton, Jonathan

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**From:** Minoli, Kevin  
**Sent:** Thursday, December 26, 2013 12:50 PM  
**To:** Reeder, John; Guerrero, David  
**Cc:** Fritz, Matthew  
**Subject:** Re: Resp from Drake's attorney

Thanks, John. I am back in a week from today. Also happy to have a quick call before that if you want. Kevin

Kevin S. Minoli

Acting Principal Associate General Counsel Office of General Counsel Main Line: 564-8064 Direct Dial: 564-5551

---

**From:** Reeder, John  
**Sent:** Thursday, December 26, 2013 12:14:12 PM  
**To:** Guerrero, David  
**Cc:** Minoli, Kevin; Fritz, Matthew  
**Subject:** Resp from Drake's attorney

[REDACTED] (S)(C)

[REDACTED]

-----Original Message-----

**From:** David R. Schleicher/Schleicher Law Firm, PLLC [mailto:davids@thislawfirm.com]  
**Sent:** Thursday, December 26, 2013 12:00 PM  
**To:** Reeder, John  
**Cc:** Minoli, Kevin  
**Subject:** RE: EPA Resp to Schleicher

Mr. Reeder--

Thank you for your letter of December 24, 2013. While I appreciate your contacting the workplace violence coordinator now, it is not clear that your contact overrides the previous direction from the Administrator's office to the coordinator to stand down. Additionally, the coordinator lacks the authority to [REDACTED] to withdraw the Administrator's direction for OIG to stand down from its investigation, or to grant any other relief to Special Agent Drake beyond sympathy. My understanding is that a workplace violence coordinator makes sure that management has the opportunity to take prompt corrective action; the coordinator here did that when these events first arose, but no corrective action was taken. (S)(C)

Though the EEO system can provide some relief, it also can take years to resolve a dispute and an EEOC judge has no authority to discipline an employee or to reverse any interference with the work of the OIG's staff that has taken place. These things could be achieved as part of an overall settlement of the EEO, but in my experience the two points at which an EEO complaint are most likely to settle are during pre-complaint counseling or in a pre-hearing mediation. The first point already has passed and the second is likely a year or more away. While we will cooperate with the EEO investigation in the meantime, we are not willing to wait a year to have these issues addressed by someone with the authority to resolve them.

This is our second and final request for an in-person meeting among the Administrator's designee, and Special Agent Drake, and myself, in an attempt to fully and forever resolve these issues by agreement of the parties. If my office is not contacted by January 11, 2014 with proposed meeting times and dates, we will conclude that these issues will be left to fester and that Agent Drake must look elsewhere for relief.

--David R. Schleicher, attorney for Special Agent Drake

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SCHLEICHER LAW FIRM, PLLC {the firm for feds<sup>SM</sup> | the firm for biz<sup>®</sup>} Principal Office: 8283 Bosque Blvd./Waco, TX 76712  
● (254) 776-3939/fax (254) 776-4001 DC Area (202) 540-9950/fax (202) 683-6130 ● Houston (713) 489-9060/(713) 489-9061 fax Toll-free (800) 892-1506/fax (800) 809-0473

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-----Original Message-----

From: Reeder, John [mailto:Reeder.John@epa.gov]

Sent: Tuesday, December 24, 2013 1:36 PM

To: David R. Schleicher/Schleicher Law Firm, PLLC

Subject: EPA Resp to Schleicher

Please see the attached letter.



**Newton, Jonathan**

---

**From:** Reeder, John  
**Sent:** Thursday, December 26, 2013 12:14 PM  
**To:** Guerrero, David  
**Cc:** Minoli, Kevin; Fritz, Matthew  
**Subject:** Resp from Drake's attorney

[REDACTED]

(S)(C)

[REDACTED]

-----Original Message-----

**From:** David R. Schleicher/Schleicher Law Firm, PLLC [mailto:davids@thislawfirm.com]  
**Sent:** Thursday, December 26, 2013 12:00 PM  
**To:** Reeder, John  
**Cc:** Minoli, Kevin  
**Subject:** RE: EPA Resp to Schleicher

Mr. Reeder--

Thank you for your letter of December 24, 2013. While I appreciate your contacting the workplace violence coordinator now, it is not clear that your contact overrides the previous direction from the Administrator's office to the coordinator to stand down. Additionally, the coordinator lacks the authority to [REDACTED] to withdraw the Administrator's direction for OIG to stand down from its investigation, or to grant any other relief to Special Agent Drake beyond sympathy. My understanding is that a workplace violence coordinator makes sure that management has the opportunity to take prompt corrective action; the coordinator here did that when these events first arose, but no corrective action was taken. (S)(C)

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--David R. Schleicher, attorney for Special Agent Drake

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-----Original Message-----

From: Reeder, John [mailto:Reeder.John@epa.gov]  
Sent: Tuesday, December 24, 2013 1:36 PM  
To: David R. Schleicher/Schleicher Law Firm, PLLC  
Subject: EPA Resp to Schleicher

Please see the attached letter.

## Newton, Jonathan

---

**From:** David R. Schleicher/Schleicher Law Firm, PLLC <davids@thislawfirm.com>  
**Sent:** Thursday, December 26, 2013 12:00 PM  
**To:** Reeder, John  
**Cc:** Minoli, Kevin  
**Subject:** RE: EPA Resp to Schleicher

Mr. Reeder--

Thank you for your letter of December 24, 2013. While I appreciate your contacting the workplace violence coordinator now, it is not clear that your contact overrides the previous direction from the Administrator's office to the coordinator to stand down. Additionally, the coordinator lacks the authority to [REDACTED] to withdraw (5)(6) the Administrator's direction for OIG to stand down from its investigation, or to grant any other relief to Special Agent Drake beyond sympathy. My understanding is that a workplace violence coordinator makes sure that management has the opportunity to take prompt corrective action; the coordinator here did that when these events first arose, but no corrective action was taken.

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--David R. Schleicher, attorney for Special Agent Drake

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• (254) 776-3939/fax (254) 776-4001 DC Area (202) 540-9950/fax (202) 683-6130 • Houston (713) 489-9060/(713) 489-9061 fax Toll-free (800) 892-1506/fax (800) 809-0473

---

-----Original Message-----

**From:** Reeder, John [mailto:Reeder.John@epa.gov]  
**Sent:** Tuesday, December 24, 2013 1:36 PM  
**To:** David R. Schleicher/Schleicher Law Firm, PLLC  
**Subject:** EPA Resp to Schleicher

Please see the attached letter.



## Newton, Jonathan

---

**From:** cmsadmin@epa.gov  
**Sent:** Tuesday, December 24, 2013 11:10 PM  
**To:** Reeder, John  
**Subject:** CMS Inactivity Notification - In Box Item(s)

John Reeder:

The following item(s) in your CMS In Box have not been acted upon for more than 5 days. Please go to the CMS webpage for proper action.



Control Number: AX-14-000-2651  
Control Subject: Issues Affecting EPA OIG Special Agent Elisabeth Heller Drake  
From: Schleicher, David R.  
Task Name: New Assignment  
Sent By: Jacqueline Leavy  
Sent To: John Reeder  
Date Sent: Dec 12 2013  
Days Inactive: 11

Note: This Email was automatically generated. Please do not attempt to respond to it. You can access this control at <https://cms.epa.gov/cms>. Questions or comments concerning CMS should be directed to CMS Support at 202-564-4985 or CMS Information@epa.gov.



## **Newton, Jonathan**

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**From:** Reeder, John  
**Sent:** Tuesday, December 24, 2013 3:16 PM  
**To:** Gaines, Cynthia  
**Cc:** Hope, Brian; Ferris, Lena; Leavy, Jacqueline  
**Subject:** Ax-14-000-2651  
**Attachments:** [Untitled].pdf

Attached please find for your records and filing, a response to David R. Schleicher, attorney for Special Agent Drake (AX-14-000-2651).

Please note that this letter has been faxed and emailed to the law firm.

Please "close out" this action in CMS.

If you believe appropriate, pls handle dispatching through regular mail (whatever is the procedure).

Thanks

John E. Reeder  
Deputy Chief of Staff

**Newton, Jonathan**

---

**From:** Reeder, John  
**Sent:** Tuesday, December 24, 2013 2:39 PM  
**To:** Minoli, Kevin; Guerrero, David; Fritz, Matthew; Hooks, Craig; Kantrowitz, Susan; Gelb, Nanci  
**Subject:** EPA Resp to Schleicher  
**Attachments:** [Untitled].pdf

Attached is the letter emailed and faxed to agent Drake's attorney on December 24.

David, pls can you acknowledge receipt and keep a copy in files. And thank you for your help on this matter.

John E. Reeder  
Deputy Chief of Staff  
202 564 6082

**Newton, Jonathan**

---

**From:** Minoli, Kevin  
**Sent:** Wednesday, December 18, 2013 5:58 PM  
**To:** Guerrero, David; Reeder, John  
**Cc:** Fritz, Matthew; Garbow, Avi; Keyes-Fleming, Gwendolyn  
**Subject:** RE: DRAFT RESPONSE to OIG agent's private attorney

[REDACTED]  
(b)(5)

Kevin S. Minoli  
Acting Principal Associate General Counsel  
Office of General Counsel  
Main Office Line: 202-564-8064  
Direct Dial: 202-564-5551

---

**From:** Guerrero, David  
**Sent:** Wednesday, December 18, 2013 3:18 PM  
**To:** Reeder, John; Minoli, Kevin  
**Cc:** Fritz, Matthew; Garbow, Avi; Keyes-Fleming, Gwendolyn  
**Subject:** RE: DRAFT RESPONSE to OIG agent's private attorney

[REDACTED]  
(b)(5)

David P. Guerrero  
Assistant General Counsel  
US Environmental Protection Agency  
Office of General Counsel  
General Law Office  
Employment Law Practice Group  
(202) 564-5458  
(202) 564-5432 (FAX)

---

**From:** Reeder, John  
**Sent:** Wednesday, December 18, 2013 3:04 PM  
**To:** Guerrero, David; Minoli, Kevin  
**Cc:** Fritz, Matthew; Garbow, Avi; Keyes-Fleming, Gwendolyn  
**Subject:** DRAFT RESPONSE to OIG agent's private attorney

[REDACTED]  
(b)(5)

Thanks.

---

**From:** Guerrero, David

**Sent:** Monday, December 16, 2013 12:31 PM

**To:** Reeder, John; Minoli, Kevin

**Cc:** Fritz, Matthew; Garbow, Avi; Keyes-Fleming, Gwendolyn

**Subject:** RE: OIG agent's private attorney wrote to EPA has private representation related to Oct 24 incident

[REDACTED]

(S)(S)

[REDACTED]

---

**From:** Reeder, John

**Sent:** Friday, December 13, 2013 6:15 PM

**To:** Minoli, Kevin

**Cc:** Fritz, Matthew; Garbow, Avi; Keyes-Fleming, Gwendolyn; Guerrero, David

**Subject:** OIG agent's private attorney wrote to EPA has private representation related to Oct 24 incident

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

(S)(S)



**Newton, Jonathan**

---

**From:** Guerrero, David  
**Sent:** Wednesday, December 18, 2013 3:18 PM  
**To:** Reeder, John; Minoli, Kevin  
**Cc:** Fritz, Matthew; Garbow, Avi; Keyes-Fleming, Gwendolyn  
**Subject:** RE: DRAFT RESPONSE to OIG agent's private attorney

[REDACTED]

David P. Guerrero  
Assistant General Counsel  
US Environmental Protection Agency  
Office of General Counsel  
General Law Office  
Employment Law Practice Group  
(202) 564-5458  
(202) 564-5432 (FAX)

(S) (S)

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**From:** Reeder, John  
**Sent:** Wednesday, December 18, 2013 3:04 PM  
**To:** Guerrero, David; Minoli, Kevin  
**Cc:** Fritz, Matthew; Garbow, Avi; Keyes-Fleming, Gwendolyn  
**Subject:** DRAFT RESPONSE to OIG agent's private attorney

[REDACTED]

[REDACTED]

(S) (S)

[REDACTED]

[REDACTED]

---

**From:** Guerrero, David  
**Sent:** Monday, December 16, 2013 12:31 PM  
**To:** Reeder, John; Minoli, Kevin  
**Cc:** Fritz, Matthew; Garbow, Avi; Keyes-Fleming, Gwendolyn  
**Subject:** RE: OIG agent's private attorney wrote to EPA has private representation related to Oct 24 incident

[REDACTED]

(b) (S)

[REDACTED]

(S)(S)

**From:** Reeder, John

**Sent:** Friday, December 13, 2013 6:15 PM

**To:** Minoli, Kevin

**Cc:** Fritz, Matthew; Garbow, Avi; Keyes-Fleming, Gwendolyn; Guerrero, David

**Subject:** OIG agent's private attorney wrote to EPA has private representation related to Oct 24 incident

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

(S)(S)

[REDACTED]

[REDACTED]

**Newton, Jonathan**

---

**From:** Reeder, John  
**Sent:** Wednesday, December 18, 2013 3:04 PM  
**To:** Guerrero, David; Minoli, Kevin  
**Cc:** Fritz, Matthew; Garbow, Avi; Keyes-Fleming, Gwendolyn  
**Subject:** DRAFT RESPONSE to OIG agent's private attorney  
**Attachments:** [Untitled].pdf

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

(S) (S)

---

**From:** Guerrero, David  
**Sent:** Monday, December 16, 2013 12:31 PM  
**To:** Reeder, John; Minoli, Kevin  
**Cc:** Fritz, Matthew; Garbow, Avi; Keyes-Fleming, Gwendolyn  
**Subject:** RE: OIG agent's private attorney wrote to EPA has private representation related to Oct 24 incident

[REDACTED]

[REDACTED]

(S) (S)

---

**From:** Reeder, John  
**Sent:** Friday, December 13, 2013 6:15 PM  
**To:** Minoli, Kevin  
**Cc:** Fritz, Matthew; Garbow, Avi; Keyes-Fleming, Gwendolyn; Guerrero, David  
**Subject:** OIG agent's private attorney wrote to EPA has private representation related to Oct 24 incident

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

(b) (5)



**Newton, Jonathan**

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**From:** Reeder, John  
**Sent:** Tuesday, December 17, 2013 10:45 AM  
**To:** Keyes-Fleming, Gwendolyn  
**Subject:** [REDACTED] (S)(S)

---

**From:** Guerrero, David  
**Sent:** Monday, December 16, 2013 12:31 PM  
**To:** Reeder, John; Minoli, Kevin  
**Cc:** Fritz, Matthew; Garbow, Avi; Keyes-Fleming, Gwendolyn  
**Subject:** RE: OIG agent's private attorney wrote to EPA has private representation related to Oct 24 incident

[REDACTED]

(b)(5)

[REDACTED]

---

**From:** Reeder, John  
**Sent:** Friday, December 13, 2013 6:15 PM  
**To:** Minoli, Kevin  
**Cc:** Fritz, Matthew; Garbow, Avi; Keyes-Fleming, Gwendolyn; Guerrero, David  
**Subject:** OIG agent's private attorney wrote to EPA has private representation related to Oct 24 incident

[REDACTED] (b)(5)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

(b)(5)

**Newton, Jonathan**

---

**From:** Guerrero, David  
**Sent:** Monday, December 16, 2013 12:31 PM  
**To:** Reeder, John; Minoli, Kevin  
**Cc:** Fritz, Matthew; Garbow, Avi; Keyes-Fleming, Gwendolyn  
**Subject:** RE: OIG agent's private attorney wrote to EPA has private representation related to Oct 24 incident

[REDACTED]

(b)(5)

**From:** Reeder, John  
**Sent:** Friday, December 13, 2013 6:15 PM  
**To:** Minoli, Kevin  
**Cc:** Fritz, Matthew; Garbow, Avi; Keyes-Fleming, Gwendolyn; Guerrero, David  
**Subject:** OIG agent's private attorney wrote to EPA has private representation related to Oct 24 incident

[REDACTED]

(b)(5)



**Newton, Jonathan**

---

**From:** Fritz, Matthew  
**Sent:** Saturday, December 14, 2013 11:25 AM  
**To:** Minoli, Kevin; Reeder, John; Garbow, Avi; Keyes-Fleming, Gwendolyn  
**Subject:** Fw: Request for Assistance in Conducting Internal Investigation  
**Attachments:** [REDACTED]

(S)(6)

**Importance:** High

Good morning all,

This came to me during one of our flights yesterday.

I did not see a draft prior to its delivery.

[REDACTED] (S)(S)

---

**From:** Sullivan, Patrick F.  
**Sent:** Friday, December 13, 2013 4:32:09 PM  
**To:** timothy.camus@tigta.treas.gov  
**Cc:** Fritz, Matthew; Sheehan, Charles; Larsen, Alan; Elkins, Arthur  
**Subject:** Request for Assistance in Conducting Internal Investigation

Tim,

[REDACTED]  
[REDACTED] (S)(S)  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]



[REDACTED]

[REDACTED]

(S)(S)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

(b)(5)

*Patrick F. Sullivan*

Assistant Inspector General for Investigations

EPA Office of Inspector General

Desk: (202) 566-0308

Cell: (571) 243-2195

FAX: (202) 566-0814

Email: [sullivan.patrick@epa.gov](mailto:sullivan.patrick@epa.gov)

**Newton, Jonathan**

---

**From:** cmsadmin@epa.gov  
**Sent:** Thursday, December 12, 2013 1:52 PM  
**To:** Reeder, John  
**Subject:** CMS New Assignment - Jacqueline Leavy - AX-14-000-2651

Control AX-14-000-2651 has been assigned to you on 12/12/13 1:51 PM by Jacqueline Leavy. Please go to the CMS webpage to view the details of the control.

Summary Information -

Control Number: AX-14-000-2651

Control Subject: Issues Affecting EPA OIG Special Agent Elisabeth Heller Drake

From: Schleicher, David R.

Note: This Email was automatically generated. Please do not attempt to respond to it. You can access this control at <https://cms.epa.gov/cms>. Questions or comments concerning CMS should be directed to CMS Support at 202-564-4985 or CMS Information@epa.gov.

**Newton, Jonathan**

---

**From:** Fritz, Matthew  
**Sent:** Monday, December 02, 2013 12:47 PM  
**To:** Reeder, John  
**Subject:** FW: Status and next steps on [REDACTED] matter

(S)(S)

Gwen's thoughts.

-----Original Message-----

**From:** Keyes-Fleming, Gwendolyn  
**Sent:** Tuesday, November 26, 2013 4:57 PM  
**To:** Fritz, Matthew; Garbow, Avi; Minoli, Kevin  
**Subject:** RE: Status and next steps on [REDACTED] matter

[REDACTED]

(S)(S)

[REDACTED]

[REDACTED]

---

**From:** Fritz, Matthew  
**Sent:** Monday, November 25, 2013 6:01 PM  
**To:** Keyes-Fleming, Gwendolyn; Garbow, Avi; Minoli, Kevin  
**Subject:** FW: Status and next steps on [REDACTED] matter

Good evening all,

[REDACTED]

**From:** Sheehan, Charles  
**Sent:** Monday, November 25, 2013 5:35 PM  
**To:** Fritz, Matthew  
**Cc:** Sullivan, Patrick F.  
**Subject:** Status and next steps on OHS-OIG matter

(S)(S)

Matt,

[REDACTED]



[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

(b)(5)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

**Newton, Jonathan**

---

**From:** Fritz, Matthew  
**Sent:** Monday, December 02, 2013 12:47 PM  
**To:** Reeder, John  
**Subject:** FW: Status and next steps on [REDACTED] matter  
**Attachments:** [REDACTED]

(b)(6)

Welcome back John,

I wanted you to enjoy your time away so I did not send this along.

I have not yet met with Chuck or Patrick. We keep missing each other.

---

**From:** Sheehan, Charles  
**Sent:** Monday, November 25, 2013 5:35 PM  
**To:** Fritz, Matthew  
**Cc:** Sullivan, Patrick F.  
**Subject:** Status and next steps on [REDACTED] matter

(b)(5)

*Matt,*

[REDACTED]

[REDACTED]

(b)(5)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

(b)(5)